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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,365

11/25/2003

Osamu Omori

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26021

7590

06/02/2005

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LOS ANGELES, CA 90071-2611

EXAMINER

VU, HUNG K

ART UNIT

PAPER NUMBER

2811

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/722,365	<b>Applicant(s)</b> OMORI, OSAMU	
	<b>Examiner</b> Hung Vu	<b>Art Unit</b> 2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-18 and 23 is/are rejected.
- 7) ☒ Claim(s) 19-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 19 and 23 are objected to because of the following informalities:

In claim 19, line 2, "16" should be changed to "18", for clarity.

In claim 23, line 6, "the substrate" should be changed to "a substrate", for clarity.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12, 15-18 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamanaka (PN 5,998,862).

Yamanaka discloses, as shown in Figures 3A-22, a semiconductor device comprising:

a substrate (upper portion of 21) having an electrode (23, portion of 24 or 28) formed thereon;

a cover (29) affixed to the substrate, the cover having a first opening (step 31a) with an adhesive (32) disposed therein for affixing the cover to the substrate, and a second opening (30) that received and surrounds the electrode when the cover is affixed to the substrate, the first opening configured so that adhesive is present only in the first opening and not in the second opening.

Regarding claim 15, Yamanaka discloses an electronic equipment comprising the semiconductor device.

Regarding claim 16, Yamanaka discloses, as shown in Figures 3A-22, a cover (29) for a semiconductor device having a substrate (21) with an optical unit (2) formed thereon, the cover comprising:

- a portion defining a first opening (step 31a) on a surface of the cover;
- a portion defining a second opening (30) on the surface of the cover;
- a translucent portion in at least the portion, defining the second opening, wherein the first opening is formed along a circumference of the second opening, and wherein the first opening contains an adhesive for affixing the cover to the substrate, and wherein the second opening is formed to receive and surround the optical unit inside of the second opening when the cover is affixed to the substrate, and wherein the second opening that includes the optical unit is sealed from the adhesive in the first opening [Figure 3B].

Regarding claim 17, Yamanaka discloses the first opening is formed so as to surround the second opening.

Regarding claim 18, Yamanaka discloses the cover further comprising: a portion defining a third opening (step 31b, 31c) on the surface that includes the portion defining the first opening and the

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portion defining the second opening and wherein the third opening is formed along a circumference of the second opening [Figure 2G].

Regarding claim 23, Yamanaka discloses, as shown in Figures 3A-22, a cover (29) for a semiconductor device, comprising:

- a portion defining a first opening (step 31a) on a surface of the cover;
- a portion defining a second opening (30) on the surface of the cover;
- a translucent portion in at least the portion defining the second opening, wherein the first opening is formed along a circumference of the second opening and receives an adhesive (32) for affixing the cover to a substrate, the adhesive being sealed within the first opening and not present in the second opening, and the second opening is formed to include an optical unit (2) inside of the second opening.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamanaka (PN 5,998,862) in view of Zu et al. (PN 6,594,153).

Regarding claim 13, Yamanaka discloses the claimed invention including the semiconductor device as explained in the rejection above. Yamanaka does not disclose the device further

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comprising a support member attached to the semiconductor device. However, Zu et al. discloses a semiconductor device comprising a support member (107) attached to the semiconductor device (101). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the device of Yamanaka further comprising a support member attached to the semiconductor device, such as taught by Zu et al. in order to reduce the noise interference and to improve circuit performance.

Regarding claim 14, Yamanaka discloses the claimed invention including the semiconductor as explained in the rejection above. Yamanaka does not disclose the device further comprising a circuit substrate that is electrically coupled to the electrode of the semiconductor device.

However, Zu et al. discloses a semiconductor device (101) comprising a circuit substrate (111) that is electrically coupled to the electrode (121) of the semiconductor device. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the device of Yamanaka further comprising a circuit substrate that is electrically coupled to the electrode of the semiconductor device, such as taught by Zu et al. in order to connect the semiconductor device with other circuit elements.

***Allowable Subject Matter***

4. Claims 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. The following is an examiner's statement of reasons for allowance:

Applicant's claims 19-22 are allowable over the references of record because none of these references disclose or can be combined to yield the claimed cover comprising the first opening is formed between the second opening and the third opening, as recited in claim 19; a portion defining a through-hole that extends from a back side of the surface that includes the portion defining the first opening to inside the first opening, as recited in claim 20; the first opening is formed so as to penetrate from one side of the cover to the other side of the cover, as recited in claim 22.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 12, 16 and 23 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

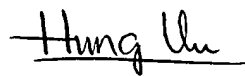
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung K. Vu whose telephone number is (571) 272-1666. The examiner can normally be reached on Mon-Thurs 6:00-3:30, alternate Friday 7:00-3:30, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The Central Fax Number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Vu

May 26, 2005

A handwritten signature in black ink, appearing to read "Hung Vu", written over a horizontal line.

Hung Vu

Primary Examiner